

---

---

**Introduced by Senator Lieu**

February 18, 2011

---

---

An act to amend Section 50.7 of the Labor Code, relating to the Department of Industrial Relations.

LEGISLATIVE COUNSEL'S DIGEST

SB 702, as introduced, Lieu. Department of Industrial Relations: occupational safety and health standards.

Proposition 97, an initiative statute approved by the voters at the November 8, 1988, statewide general election, designates the Department of Industrial Relations as the state agency responsible for administering the state plan for the development and enforcement of occupational safety and health standards relating to issues covered by corresponding standards promulgated under the federal Occupational Safety and Health Act of 1970. Proposition 97 requires that the state plan be consistent with the provisions of state law governing occupational safety and health, as specified.

This bill would make nonsubstantive changes to those provisions.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1     SECTION 1. Section 50.7 of the Labor Code is amended to  
2     read:  
3     50.7. (a) ~~The Department of Industrial Relations~~ *department*  
4     is the state agency designated to be responsible for administering  
5     the state plan for the development and enforcement of occupational  
6     safety and health standards relating to issues covered by

1 corresponding standards promulgated under the federal  
2 Occupational Safety and Health Act of 1970 (~~Public Law P.L.~~  
3 91-596). The state plan shall be consistent with the provisions of  
4 state law governing occupational safety and health, including, but  
5 not limited to, Chapter 6 (commencing with Section 140) ~~and,~~  
6 Chapter 6.5 (commencing with Section 148) ~~of Division 4, and~~  
7 Division 5 (commencing with Section 6300) ~~of this code.~~

8 (b) The budget and ~~budget bill~~ *Budget Bill* submitted pursuant  
9 to *Section 12 of Article IV*, ~~Section 12~~ of the California  
10 Constitution shall include in the item for the support of the  
11 ~~Department of Industrial Relations~~ *department* amounts sufficient  
12 to fully carry out the purposes and provisions of the state plan and  
13 this code in a manner which assures that the risk of industrial  
14 injury, exposure to toxic substances, illness and death to employees  
15 will be minimized.

16 (c) ~~Because Federal grants are available, maximum Federal~~  
17 ~~funding shall be sought~~ *Due to the availability of federal funds,*  
18 *the department shall seek the maximum amount of federal funding*  
19 and, to the extent possible, *shall use funds obtained from federal*  
20 *grants to pay the cost of administering the state plan* ~~shall be paid~~  
21 ~~by funds obtained from federal grants.~~

22 (d) The Governor and the ~~Department of Industrial Relations~~  
23 *department* shall take all steps necessary to prevent withdrawal of  
24 approval for the state plan by the Federal government. If ~~Federal~~  
25 *federal* approval of the state plan has been withdrawn before  
26 passage of this initiative, or if it is withdrawn at any time after  
27 passage of this initiative, the Governor shall submit a new state  
28 plan immediately so that California shall be approved and shall  
29 continue to have access to ~~Federal~~ *federal* funds.